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12 Additional Counsel listed on next page

13 UNITED STATES DISTRICT COURT  
14 EASTERN DISTRICT OF CALIFORNIA  
15 SACRAMENTO DIVISION

16 AHERN RENTALS, INC., a Nevada  
17 Corporation,

18 Plaintiff,

19 vs.

20 EQUIPMENTSHARE.COM INC, a Delaware  
21 corporation, MATTHEW ALLEN, an  
22 individual; DERRICK TORRES, an individual,  
23 and DOES 1-100,

24 Defendants.

**Case No. 2:19-cv-01788-MCE-KJN**

**STIPULATION AND ORDER TO  
CONTINUE DISCOVERY STAY**

Complaint Filed: September 9, 2019  
FAC Filed: July 20, 2020  
Trial Date: None set

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24 MATTHEW ALLEN and DERRICK TORRES  
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1 Plaintiff Ahern Rentals, Inc., Defendant EquipmentShare.com Inc, Defendant Matthew Allen,  
2 and Defendant Derrick Torres, by and through their counsel of record, hereby enter into the following  
3 stipulation with reference to the following facts:

4 **RECITALS**

5 On May 7, 2020, the Court granted Defendants' motions for a protective order and stayed  
6 discovery until 30 days after a ruling on Defendants' then-pending motions to dismiss. (Dkt. No. 60.)

7 On June 29, 2020, the Court granted Defendants' motions to dismiss the Complaint. (Dkt. No.  
8 61.)

9 On July 20, 2020, Plaintiff filed a First Amended Complaint. (Dkt. No. 62.) Defendants intend  
10 to file motions to dismiss the First Amended Complaint.

11 To avoid unnecessary motion practice, litigation costs, and to conserve judicial resources, the  
12 parties hereby stipulate as follows:

- 13 • The current discovery stay in this case will remain in place until 30 days after the Court  
14 issues an order resolving the forthcoming motions to dismiss.

15 **IT IS SO STIPULATED.**

16 Dated: July 27, 2020

**BAKER & McKENZIE LLP**

17  
18 By: /s/ Michael G. Leggieri  
19 Michael E. Brewer  
20 Michael G. Leggieri  
Attorneys for Defendant  
EQUIPMENTSHARE.COM INC

21 Dated: July 27, 2020

**MORGAN, LEWIS & BOCKIUS LLP**

22  
23 By: /s/ Jason P. Brown [with permission]  
24 Christopher J. Banks  
25 Jason P. Brown  
26 Aleksandr Markelov  
Attorneys for Plaintiff  
AHERN RENTALS, INC.

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Dated: July 27, 2020

**FERBER LAW, APC**


By: Connor M. Day [with permission]  
Michelle R. Ferber  
Conner M. Day  
Attorneys for Defendants  
MATTHEW ALLEN and DERRICK  
TORRES

1 **ORDER**

2 Pursuant to the stipulation of the parties, and good cause appearing, IT IS HEREBY  
3 ORDERED that Discovery in this case is STAYED until 30 days after the Court issues an order  
4 resolving the forthcoming motions to dismiss.

5 **IT IS SO ORDERED.**

6  
7 Dated: July 29, 2020

8   
9 /1788.ahern  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE